

COMMITTEE ON LAND USE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Charles E. Davis, District No. 4

Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Steve M. Vaughn, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Henry L. Richardson, Jr., District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

The COMMITTEE ON LAND USE met on Monday, November 19, 2001, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:21 p.m.

PRESENT: Mr. Charles E. Davis, Councilmember District No. 4, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Steve M. Vaughn, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Jr., Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk to County Council..

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and agenda of this meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers and the News media.

Chairman Davis called the meeting to order and stated that first on the agenda was Consideration prior to First Reading of the following:

1. Request by Stanley Baker for Margaret Mead et al, Montague Plantation Road, Goose Creek, TMS #235-00-00-039 (16 acre portion, 51 acres total), from LI, Light Industrial and HI, Heavy Industrial, to R-I, Single Family Residential.

Mr. LeaMond stated the property is on Medway Plantation Road and portion of it was rezoned to Light Industrial last year. A portion was left out and they were negotiating selling it for Single Family Residential. They have since found another buyer, so they are reinitiating the rezoning and the recommendation by the Staff and the Planning Commission was to approve.

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to approve the recommendation by Staff and the Planning Commission to send the request by Stanley Baker to First Reading. The motion passed by unanimous voice vote of the Committee.

2. Request by Miguel Whaley, Back River Road, Goose Creek, TMS #244-11-02-031 (0.98 acre), from R-2, Manufactured Residential to R-2R(F), Mobile Home Farm Residential.

Mr. LeaMond pointed out the parcel on the map and stated the gentleman had horses and found he was in violation of the ordinance; so, his option was to make a request to rezone. He chose the R-2R(F) in order to keep the horses. Mr. Whaley understood that an acre is only enough property for one horse and he has two. However, he has agreed to relocate one of the horses, and the recommendation was to approve.

It was moved by Councilmember Crosby and seconded by Councilmember Vaughn to approve the recommendation to send the request by Miguel Whaley to Council for First Reading.

Councilmember Spooner asked who voted against it? Mr. LeaMond stated that no one opposed it but there was one concerned person; consequently, one nay vote.

The motion passed by unanimous voice vote of the Committee.

3. Request by Franklin James Yalladay, Riverside Circle, Goose Creek, TMS #244-10-00-041(1 acre), from R-2, Manufactured Residential, to R2-R(F), Mobile Home Farm Residential.

Mr. LeaMond pointed out that Riverside Circle runs off Old Back River Road. He stated the gentleman had an acre, but he had six horses so there was no way even with the R-2R(F) to help him out. So, the recommendation was to deny because it was not adjacent to anything Flex-1, which would have given him the latitude to do something else.

It was moved by Councilmember Crosby and seconded by Councilmember Vaughn to deny.

Councilmember Richardson asked was removing the five horses a consideration? Mr. LeaMond stated the landowner was not at the meeting. A gentleman represented him and did not indicate whether he was willing to negotiate the number of horses. Councilmember Richardson stated he received a call from someone who indicated they were willing to remove most of the horses to comply.

The motion to deny the request by Frank Yalladay passed by unanimous voice vote of the Committee.

4. Request by Meredith Bunch, 1161 College Park Road, Summerville, TMS #222-15-00-053 (5.5 acres), from R-1, Single Family Residential, to CG, General Commercial.

Mr. LeaMond pointed out Edgebrook Drive and College Park Road and stated the request was to rezone from R-1 to General Commercial. The property adjacent is already General

Commercial; there is Rural and Neighborhood Commercial across the street, and is surrounded on the other two sides by a mobile home park. Therefore, the Staff and the Planning Commission recommended approval.

It was moved by Councilmember Crosby and seconded by Councilmember Mims to accept Staff's and the Planning Commission's recommendation to send the request by Meredith Bunch to Council for First Reading.

Councilmember Vaughn asked what did the owner plan to do with the property? Mr. LeaMond stated they plan to do a miniature warehouse.

The motion passed by unanimous voice vote of the Committee.

5. Request by Emily Whaley Whipple, Cypress Gardens Road at U. S. Highway 52, TMS #197-00-01-009 (2 acre portion, 32.09 total), from HI, Heavy Industrial, to CG, General Commercial.

Mr. LeaMond pointed out that the property across the road was rezoned last year for General Commercial. There is a fuel facility there and they are looking to do something similar; so, the Planning Commission's recommendation was to approve.

Councilmember Crosby asked was everything there Heavy Industrial? Mr. LeaMond explained that everything around it was Heavy Industrial.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to accept the Planning Commission's recommendation and send the request by Emily Whipple to Council for First Reading. The motion passed by voice vote of the Committee.

6. Request by Brenda Gooding, 1853 State Road, Summerville, TMS #194-00-01-027 (1.43 acres), from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial.

Mr. LeaMond pointed out that the property to the right of this parcel is already Rural and Neighborhood Commercial, and the applicant is making the same request for her property. He stated the applicant's husband is disabled and she would like to establish a commercial use to supplement her income. The Staff and Planning Commission's recommendation was to approve.

Councilmember Pinckney stated he noticed there was one "nay" from the Planning Commission. Mr. LeaMond stated there were neighbors who are opposed to the rezoning. Councilmember Pinckney asked did she say specifically what kind of business it would be? Mr. LeaMond stated she mentioned an antique store similar to what's on the lot next door.

Councilmember Spooner asked if the people who objected live nearby or in the general vicinity? Mr. LeaMond stated one gentleman lives next door and the other property owners were on Laidback Court, which was the left turn beyond that property. He stated they are very acute in their vision as to what they want in the neighborhood.

It was moved by Councilmember Pinckney and seconded by Councilmember Farley to approve the recommendation of Staff and the Planning Commission to send the request of Brenda Gooding to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

It was moved by Councilmember Pinckney and seconded by Councilmember Spooner that the following Bills be read by title only and sent to Council for Second Reading and Public Hearing. The motion passed by unanimous voice vote of the Committee.

1. Bill No. 01-55, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Lecia O. Martin, 930 College Park Road, Summerville, TMS #233-04-00-019 (2.87 acres) from CG, General Commercial, to RNC, Neighborhood Commercial. Council District No. 4.

2. Bill No. 01-56, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Rose Marie Harmon, 130 Bud Lane, Summerville, TMS #233-04-00-015 (1 Lot), from R-1, Single Family Residential District, to R-1MM, Multi-Section Residential District. Council District No. 4.

3. Bill No. 01-57, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Randel Plyler and Richard Kendall, Ranger Drive and Shortcut Road, Cross, TMS #065-00-00-082 (2.37 acres), from RNC, Rural and Neighborhood Commercial District, to F-1, Agricultural District. Council District No. 7.

4. Bill No. 01-58, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Dallas A. Matthews, Jr. for Linda Matthews, 1444 Charity Church Road, Huger, TMS #239-00-00-116 (2 acres), from RNC, Rural and Neighborhood Commercial District, to GC, General Commercial District. Council District No. 8.

5. Bill No. 01-60, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Sharon E. Anderson-Goss, Clements Ferry Road and Oakview Lane, Wando, TMS #263-00-03-013 (2.12 acres), from R-2, Mobile Home Residential District, to GC, General Commercial. Council District No. 8.

6. Bill No. 01-63, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Rodney Lockwood, 2410 Clements Ferry Road, Wando, TMS #267-00-00-022 (.55 acres), from R-2, Mobile Home Residential District, to GC, General Commercial District. Council District No. 8.

Chairman Davis stated Item C was Review prior to Third Reading of the following:

1. Bill No. 01-49, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Ruth T. Ayers, Trustee, 165 Royle

Road, Ladson, TMS #232-00-02-100 and 232-00-02-010 (15.84 acres total), from GC, General Commercial District and F-1, Flexible District, to LI, Light Industrial District. Council District No. 4.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to send Bill No. 01-49 to Council for Third and final reading. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 01-50, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Bid Realty, Royle Road, Ladson, TMS #242-00-02-051 (17.1 acres), from GC, General Commercial District, to LI, Light Industrial District. Council District No. 5.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to send Bill No. 01-50 to Council for Third and final reading. The motion passed by unanimous voice vote of the Committee.

3. Bill No. 01-51, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Frances J. Garrison, 174 Highway 78, Ladson, TMS #242-00-02-041 (1.86 acres), from R-1, Single Family Residential, to GC, General Commercial District. Council District No. 5.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to send Bill No. 01-51 to Council for Third and final reading. The motion passed by unanimous voice vote of the Committee.

It was moved by Councilmember Spooner and seconded by Councilmember Vaughn to adjourn. The motion passed by unanimous voice vote of the Committee.

The Meeting adjourned at 6:30 p.m.

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Mr. James H. Rozier, Jr., Supervisor, ex officio

A Meeting of the COMMITTEE ON LAND USE, Standing Committee of Berkeley County Council, will be held on Monday, November 19, 2001, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Planning and Development, the Committee on Water & Sanitation, the Committee on Public Works and Purchasing and the Committee on Human Services at 6:00 p.m.

AGENDA

A. Consideration prior to First Reading of the following:

1. Request by Stanley Baker for Margaret Mead et al, Montague Plantation Road, Goose Creek, TMS #235-00-00-039 (16 acre portion, 51 acres total), from LI, Light Industrial District and HI, Heavy Industrial District, to R-1, Single Family Residential District. Council District No. 3.

[Staff recommended approval]

[Planning Commission recommended approval]

2. Request by Miguel Whaley, Back River Road, Goose Creek, TMS #244-11-02-031 (0.98 acre), from R-2, Manufactured Residential District, to R-2R(F), Mobile Home Farm Residential District. Council District No. 3.

[Staff recommended approval]

[Planning Commission recommended approval: vote 4 ayes – 1 nay]

3. Request by Franklin James Yalladay, Riverside Circle, Goose Creek, TMS #244-10-00-041 (1 acre), from R-2, Manufactured Residential District, to R2-R(F), Mobile Home Farm Residential District. Council District No. 3.

[Staff recommended approval]

[Planning Commission recommended denial]

4. Request by Meredith Bunch, 1161 College Park Road, Summerville, TMS #222-15-00-053 (5.5 acres), from R-1, Single Family Residential District, to GC, General Commercial District. Council District No. 4.

[Staff recommended approval]

[Planning Commission recommended approval]

5. Request by Emily Whaley Whipple, Cypress Gardens Road at U. S. Highway 52, TMS #197-00-01-009 (2 acre portion, 32.09 total), from HI, Heavy Industrial District, to GC, General Commercial District. Council District No. 4.

[Staff recommended approval]

[Planning Commission recommended approval]

6. Request by Brenda Gooding, 1853 State Road, Summerville, TMS #194-00-01-027 (1.43 acres), from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District. Council District No. 7.

[Staff recommended approval]

[Planning Commission recommended approval: vote 4 ayes – 1 nay]

B. Review prior to Second Reading of the following:

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November 14, 2001
S/Barbara B. Austin
Clerk to County Council